

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RNC CONSOLIDATED CASES,

**DECLARATION OF  
RAJU SUNDARAN**

(RJS)(JCF)

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RAJU SUNDARAN, an attorney duly admitted to practice in the United States District Court for the Southern District of New York, declares under penalty of perjury and pursuant to 28 U.S.C. §1746 that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, attorney for defendants.

2. I am familiar with the facts and circumstances stated herein based upon personal knowledge, the books and records of the City of New York, and conversations with its agents and employees. I submit this declaration in support of defendants' memorandum of law in support of defendants' appeal from the order of Magistrate Judge James C. Francis IV's, dated January 23, 2008, granting plaintiffs' motions to amend in part.

3. Annexed hereto as Exhibit A is the Case Management Order, entered May 26, 2005, in MacNamara, et al. v. City of New York, et al., 04 CV 9216 (RJS)(JCF) specifically setting forth the deadline for filing any amended complaints.

4. Annexed hereto as Exhibit B is the Amended Case Management Order, entered November 9, 2005, in MacNamara, et al. v. City of New York, et al., 04 CV 9216 (RJS)(JCF) specifically setting forth the deadline for filing any amended complaints.

5. Annexed hereto as Exhibit C is Discovery Order #1, entered October 3, 2005, in all RNC actions concerning consolidated discovery and modeling other CMOs in the remaining RNC cases on the MacNamara CMO.

6. Annexed hereto as Exhibit D is Defendants' Memorandum of Law in Partial Opposition to Plaintiffs' Motions to File Amended Complaints, filed October 24, 2007, concerning RNC cases in Grosso; MacNamara; Portera; Rechtschaffer; Bastidas; Xu; Sloan; Galitzer; Sikelianos; Coburn; Drescher; Phillips; Abdell; Adams; Araneda; Eastwood; Bell; Cohen; Dudek; Lee; Starin; Bunim; Kalra; Ryan; Garbini; Greenwald; Pickett; Tremayne; Biddle; Moran; Botbol; Crotty; Stark; Lalier; and Tikkun.

7. Annexed hereto as Exhibit E is the Order of Magistrate Judge James C. Francis IV, entered January 23, 2008, which Defendants appeal under Rule 72 of the Federal Rules of Civil Procedure.

8. Annexed hereto as Exhibit F1 is the proposed Second Amended Complaint in MacNamara, et al. v. City of New York, et al., 04 CV 9216 (RJS)(JCF).

9. Annexed hereto as Exhibit F2 is the proposed First Amended Complaint in Rechtschaffer v. City of New York, et al., 05 CV 9930 (RJS)(JCF).

10. Annexed hereto as Exhibit F3 is the proposed First Amended Complaint in Portera v. City of New York, et al., 05 CV 9985 (RJS)(JCF).

11. Annexed hereto as Exhibit F4 is the proposed Fourth Amended Complaint in Bunim, et al. v. City of New York, et al., 05 CV 1562 (RJS)(JCF).

12. Annexed hereto as Exhibit F5 is the proposed Fourth Amended Complaint in Kalra, et al. v. City of New York, et al., 05 CV 1563 (RJS)(JCF).

13. Annexed hereto as Exhibit F6 is the proposed Fourth Amended Complaint in Ryan, et al. v. City of New York, et al., 05 CV 1564 (RJS)(JCF).

14. Annexed hereto as Exhibit F7 is the proposed Fourth Amended Complaint in Garbini, et al. v. City of New York, et al., 05 CV 1565 (RJS)(JCF).

15. Annexed hereto as Exhibit F8 is the proposed Fourth Amended Complaint in Greenwald, et al. v. City of New York, et al., 05 CV 1566 (RJS)(JCF).

16. Annexed hereto as Exhibit F9 is the proposed Fourth Amended Complaint in Pickett, et al. v. City of New York, et al., 05 CV 1567 (RJS)(JCF).

17. Annexed hereto as Exhibit F10 is the proposed Fourth Amended Complaint in Tremayne, et al. v. City of New York, et al., 05 CV 1568 (RJS)(JCF).

18. Annexed hereto as Exhibit F11 is the proposed Fourth Amended Complaint in Biddle, et al. v. City of New York, et al., 05 CV 1570 (RJS)(JCF).

19. Annexed hereto as Exhibit F12 is the proposed Fourth Amended Complaint in Moran, et al. v. City of New York, et al., 05 CV 1571 (RJS)(JCF).

20. Annexed hereto as Exhibit F13 is the proposed Fourth Amended Complaint in Botbol, et al. v. City of New York, et al., 05 CV 1572 (RJS)(JCF).

21. Annexed hereto as Exhibit F14 is the proposed Fourth Amended Complaint in Crotty, et al. v. City of New York, et al., 05 CV 7577 (RJS)(JCF).

22. Annexed hereto as Exhibit F15 is the proposed Third Amended Complaint in Stark, et al. v. City of New York, et al., 05 CV 7579 (RJS)(JCF).

23. Annexed hereto as Exhibit F16 is the proposed Fourth Amended Complaint in Lalier, et al. v. City of New York, et al., 05 CV 7580 (RJS)(JCF).

24. Annexed hereto as Exhibit F17 is the proposed Third Amended Complaint in Grosso v. City of New York, et al., 05 CV 5080 (RJS)(JCF).

25. Annexed hereto as Exhibit F18 is the proposed Fourth Amended Complaint in Dudek v. City of New York, et al., 04 CV 10178 (RJS)(JCF).

26. Annexed hereto as Exhibit F19 is the proposed Fifth Amended Complaint in Bell v. City of New York, et al., 05 CV 3705 (RJS)(JCF).

27. Annexed hereto as Exhibit F20 is the proposed Fourth Amended Complaint in Starin v. City of New York, et al., 05 CV 5152 (RJS)(JCF).

28. Annexed hereto as Exhibit F21 is the proposed Fourth Amended Complaint in Lee v. City of New York, et al., 05 CV 5528 (RJS)(JCF).

29. Annexed hereto as Exhibit F22 is the proposed First Amended Complaint in Cohen v. City of New York, et al., 05 CV 6780 (RJS)(JCF).

30. Annexed hereto as Exhibit F23 is the proposed First Amended Complaint in Phillips, et al. v. City of New York, et al., 05 CV 7624 (RJS)(JCF).

31. Annexed hereto as Exhibit F24 is the proposed Second Amended Complaint in Coburn, et al. v. City of New York, et al., 05 CV 7623 (RJS)(JCF).

32. Annexed hereto as Exhibit F25 is the proposed First Amended Complaint in Drescher v. City of New York, et al., 05 CV 7541 (RJS)(JCF).

33. Annexed hereto as Exhibit F26 is the proposed Second Amended Complaint in Bastidas, et al. v. City of New York, et al., 05 CV 7670 (RJS)(JCF).

34. Annexed hereto as Exhibit F27 is the proposed Second Amended Complaint in Xu, et al. v. City of New York, et al., 05 CV 7672 (RJS)(JCF).

35. Annexed hereto as Exhibit F28 is the proposed Second Amended Complaint in Sloan, et al. v. City of New York, et al., 05 CV 7668 (RJS)(JCF).

36. Annexed hereto as Exhibit F29 is the proposed Second Amended Complaint in Galitzer v. City of New York, et al., 05 CV 7669 (RJS)(JCF).

37. Annexed hereto as Exhibit F30 is the proposed First Amended Complaint in Sikelianos v. City of New York, et al., 05 CV 7673 (RJS)(JCF).

38. Annexed hereto as Exhibit F31 is the proposed Third Amended Complaint in Abdell, et al. v. City of New York, et al., 05 CV 8453 (RJS)(JCF).

39. Annexed hereto as Exhibit F32 is the proposed Third Amended Complaint in Adams, et al. v. City of New York, et al., 05 CV 9484 (RJS)(JCF).

40. Annexed hereto as Exhibit F33 is the proposed First Amended Complaint in Araneda, et al. v. City of New York, et al., 05 CV 9738 (RJS)(JCF).

41. Annexed hereto as Exhibit F34 is the proposed First Amended Complaint in Eastwood, et al. v. City of New York, et al., 05 CV 9483 (RJS)(JCF).

42. Annexed hereto as Exhibit F35 is the proposed First Amended Complaint in Tikkun v. City of New York, et al., 05 CV 9901 (RJS)(JCF).

43. I certify that the documents attached as Exhibits A through F35 to this declaration are true and correct copies of the original documents.

Dated: New York, New York  
February 25, 2008

\_\_\_\_\_/s/  
RAJU SUNDARAN (RS 8011)  
Assistant Corporation Counsel